

**No. 25-1566**

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**IN THE UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT**

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Blagomir P. Shkodrov, Individually and as Personal Representative of

Stoyanka Dimitrova Shkodrova/Decedent,

Petra D. Fist, as Personal Representative of Decedent,

Plaintiffs-Appellants,

v.

Summer Carmichael, Outer Banks Health, Inc., ECU Health/EastCare, Inc.,  
Chesapeake Hospital Authority, Inc., University Health Systems of Eastern  
Carolina, Inc., Jeff Peter Vista, Linda Smith, Aaron Heide, James Heaton, Jennifer  
Allen, Susanj Patel, Simone Patalinghug Montoya, Eastern Radiologists, Inc.

Defendants-Appellees.

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**ON APPEAL FROM THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA, RALEIGH, NC**

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**APPELLANTS' MOTION TO ACCEPT**

**LATE- FILED INFORMAL REPLY BRIEF TO RESPONSE BRIEF**

**By Summer Carmichael, Linda Smith, Jeff Peter Vista, James Heaton, m.d.,  
Jennifer Allen, Outer Banks Health, Inc., ECU Health/EastCare, Inc.,  
University Health Systems of Eastern Carolina, Inc.**

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Petra D. Fist, Blagomir Shkodrov

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This is a motion to request the Court to accept the late-filed Appellants' Informal Reply Brief to Informal Response Brief by Appellees Summer Carmichael, Linda Smith, Jeff Peter Vista, James Heaton, m.d., Jennifer Allen, Outer Banks Health, Inc., ECU Health/EastCare, Inc., University Health Systems of Eastern Carolina, Inc.

Appellants are asking that this Court allow the late-filed informal reply brief due to extraordinary circumstances. Appellant Fist's husband, Mr. David Fist, has been very ill and struggling with COVID-19. Mr. David Fist is the office manager of Appellant Fist's law practice. The need to care for him and his inability to perform his work duties have put an extreme burden on Appellants. Exh. 1.

Appellants have not communicated with Appellees as such communication is futile—it is nearly certain that Appellees oppose this motion.

Based on the above-described extraordinary circumstances, Appellants are respectfully requesting that this motion to accept a late-filed brief be granted.

Respectfully submitted by,

/s/, Petra D. Fist

/s/, Blagomir Shkodrov

Petra D. Fist/Pro se

Blagomir P. Shkodrov/Pro se

July 14, 2025

**LIST OF EXHIBITS**

1. Affidavit by David Fist.....001

Affidavit by David Fist

Date of Birth: May 4, 1962

Place of Birth: Georgetown, Ohio

I, David Fist, hereby attest that the following is true:

My name is David Fist. Since my recent retirement from JP Morgan Chase, Inc., I have been filling the role of office manager for Petra Fist, Ph.D., Esq. I am also Petra's husband. Over the last six days, I have been very sick with fever, chills, headache and body aches so bad that I could barely get out of bed on my own. I have visited two separate doctors, and both agree it is Covid 19.

During my sickness, Petra has not only had to care for me extensively, but she has to also cover my office duties. Although she has been working 16-hour days, it is impossible to do the work of two people and care for a sick husband without some delays. She and her brother Blagomir have been under extreme stress for a long time now dealing with providers who would treat a patient with very powerful drugs without qualified personnel or capacity to contain a downfall. And then after their blundered treatment, when every bit of literature you read on the subject of brain stroke states that every second counts, they had a critically ill patient, thanks to their care, wait five hours for transport to a confederate hospital

which was also ill-prepared, in hopes to cover their tracks. We asked for her electronic portal passwords and they said there weren't any and to send them forms for the medical records. We did and marked them for legal purpose and even so they did not bother to give us the entire records and never gave us the ambulance records. During my entire life, I have never heard of such a case where an entire batch of ambulance records are gone missing or deleted and the other sparse medical records are full with contradictions, untruths and omissions of information like a discharge summary, vital signs for a long time, to give just a few examples.

After Petra's mom died, Blago suffered a nervous breakdown and continues to deteriorate. His relationships with me and other family members have worsened. I fear for him because he has expressed a desire to end his life. Thank God he remains very close to his sister and they work hard to find justice for their mom. The failures of the providers are so blatant and the effect they have had on us is so inhuman that I can hardly believe they are trying to defend their actions.

I respectfully ask you to take into consideration my ongoing serious illness and forgive the delay with Petra's filings.

David Fist



July 14, 2025

**CERTIFICATE OF SERVICE**

I, Petra D. Fist, hereby certify that on July 14, 2025, the foregoing Motion to Accept Late-Filed Appellants' Informal Reply Brief to the Response Brief by the above-described Appellees is being filed with the Clerk of Court via the CM/ECF system. All Appellees participate in the CM/ECF system, which automatically and simultaneously transmits to them each of Appellants' filing, including the instant Informal Reply Brief. Wherefore, no separate service was completed.

/s/, Petra D. Fist

Petra D. Fist/Pro se

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